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Attorneys for Plaintiff  
ROBERT HEATH

13 UNITED STATES DISTRICT COURT  
14  
15 NORTHERN DISTRICT OF CALIFORNIA

16 ROBERT HEATH, and  
17 CHERYL FILLEKES,  
18 Plaintiffs, on behalf of themselves and others  
19 similarly situated,

20 Plaintiff,

21 v.

22 GOOGLE INC., a Delaware corporation,

23 Defendant.

Case No. 15-cv-01824-BLF

**JOINT STIPULATION REGARDING  
ENLARGEMENT OF DEFENDANT  
GOOGLE INC.'S OPPOSITION BRIEF**

Date: September 22, 2016  
Time: 9:00 a.m.  
Location: Courtroom 3, 5<sup>th</sup> Floor

Complaint Filed: April 22, 2015  
Trial Date: June 5, 2017

Pursuant to Local Rules 7-11 and 7-12 of the Northern District of California, Defendant Google, Inc. ("Google") and Plaintiffs Robert Heath and Cheryl Fillekes ("Plaintiffs") respectfully stipulate as follows:

WHEREAS, Plaintiff Fillekes filed a Motion For Conditional Certification of Collective Action on June 29, 2016 (ECF 75);

WHEREAS, Plaintiff Heath filed a Partial Joinder in Fillekes' motion on July 1, 2016;

WHEREAS, Google's deadline to file its opposition to Plaintiffs' motion and joinder is July 29, 2016;

WHEREAS, counsel for Google has represented to counsel for Plaintiffs Heath and Fillekes that Google will respond to Fillekes' motion and Heath's partial joinder in a combined opposition brief, and that it may need 10 additional pages to fully do so; and

WHEREAS, Plaintiffs Fillekes and Heath do not oppose Google's request to file an opposition brief not to exceed 35 pages.

NOW, THEREFORE, the Parties, by and through their respective counsel, hereby stipulate and agree as follows:

Google may file a brief not to exceed 35 pages in combined opposition to Plaintiff Fillekes' Motion For Conditional Certification of Collective Action (ECF 75) and Plaintiff Heath's Partial Joinder (ECF 78).

IT IS SO STIPULATED, THOROUGH COUNSEL OF RECORD.

DATED: July 22, 2016

OGLETREE, DEAKINS, NASH, SMOAK &  
STEWART, P.C.

By: /s/ Brian D. Berry  
Thomas M. McInerney  
A. Craig Cleland  
Brian D. Berry

Attorneys for Defendant  
GOOGLE INC.

1 DATED: July 22, 2016

KOTCHEN & LOW LLP

2 By: /s/  
3 Daniel L. Low

4 Attorney for Plaintiffs  
5 CHERYL FILLEKES

6  
7 DATED: July 22, 2016

SMITH PATTEN

8 By: /s/  
9 Dow W. Patten

10 Attorney for Plaintiffs  
11 ROBERT HEATH

12  
13 **SIGNATURE ATTESTATION**

14 Pursuant to Civil Local Rule 5-1(i)(3), I attest that concurrence in the filing of this  
15 documents has been obtained from the other signatories.  
16

17  
18 DATED: July 22, 2016

19 By: /s/ Brian D. Berry  
20 Brian D. Berry

**ORDER**

As stipulated and agreed to by the Parties, Google may file a memorandum of points in authorities not to exceed 35 pages in combined opposition to Plaintiff Fillekes' Motion for Conditional Certification of Collective Action (ECF 75) and Plaintiff Heath's Partial Joinder (ECF 78).

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: July 22, 2016

  
UNITED STATES DISTRICT JUDGE

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